

IN THE MATTER OF : NEW JERSEY DEPARTMENT OF EDUCATION
THE LICENSE OF : STATE BOARD OF EXAMINERS
JOHN HOWARTH : ORDER OF REVOCATON
_____ : DOCKET NO. 447-05/97-131

At its meeting of May 15, 1997, the State Board of Examiners reviewed information received from the Division of Criminal Justice indicating that John Howarth pled guilty on October 15, 1996 to five (5) counts of endangering the welfare of a child in the second degree and two (2) counts of sexual assault in the second degree. Mr. Howarth was sentenced to five (5) years' custody to be served at the Adult Diagnostic and Treatment Center in Avenel, New Jersey. Currently, Respondent holds a Teacher of Elementary School license in the State of New Jersey.

At that meeting the State Board of Examiners voted to issue an Order to Show Cause to Respondent based on the aforestated information. The Order to Show Cause was mailed to Respondent by regular and certified mail on July 25, 1997. The certified mail receipt card was signed and returned. The regular mail copy was not returned. No response has been received from or on behalf of Respondent.

It is therefore ORDERED that the charges set forth in the Order to Show Cause are deemed admitted for the purpose of this proceeding. By virtue of holding a teaching license, the respondent has been entrusted by the State with the care and custody of school children. Tenure Hearing of Sammons, 1972 S.L.D. 302, 321. The respondent has, however, by his conduct, violated that most sacred trust. He has on repeated occasions impermissibly endangered a minor. Such comportment is so foreign to the expectations of the deeds and actions of a professional certificated teacher - or of any person - that it raises doubts as to the continued performance of that person in the classroom. Tenure of Blasco, OAL Dkt. EDU 3842-79 (July 15, 1980), mod.

Comm'r of Ed. (August 28, 1980), mod. St. Bd. of Ed. (Feb. 4, 1981). The public must be assured that the respondent will no longer be given access to children as a teacher.

Accordingly, the State Board of Examiners finds Respondent's convictions conduct unbecoming a license holder. The appropriate penalty for his unbecoming conduct is the revocation of Respondent's teaching license as a Teacher of Elementary School.

It is, therefore ORDERED that John Howarth's license as a Teacher of Elementary School be revoked on this 11th day of December, 1997.

It is further ORDERED that John Howarth return his license to the Secretary of the State Board of Examiners, Office of Licensing, CN 500, Trenton, NJ 08625-0500 within fourteen (14) days of receipt of this letter.

Secretary
State Board of Examiners

Date of Mailing: February 23, 1998

Appeals may be made to the State Board of Education pursuant to the provisions of N.J.S.A. 18A:6-28.

IBG:KHK:br:Howarthrv